

of seven persons, and prescribing the qualifications and terms of office for members thereof; vesting said trustees and said board of trustees with all the rights, powers privileges and duties as are conferred and imposed by the general laws of the State of Texas upon trustees and boards of trustees of independent school districts; vesting the management and control of the public free schools in said school district in said board of trustees as provided in this act; providing for the election of a board of trustees and their successors in office; providing that said board of trustees shall be a body politic and corporate in law, and as such may contract and be contracted with, may sue and be sued, may plead and be impleaded, and may receive any gift, grant, donation or devise made to and for the use and benefit of the public free schools in said school district."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

TWENTY-THIRD DAY.

(Tuesday, February 10, 1925.)

The House met at 9 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.

The roll was called and the following members were present:

Acker.	Cummings.
Albritton.	Dale.
Alexander	Daniels.
of Bastrop.	Davis of Dallas.
Alexander	Davis of Wood.
of Limestone.	DeBerry.
Atkinson.	Dielmann.
Avis.	Dinkle.
Baker of Orange.	Donnell.
Baker of Panola.	Downs.
Barron.	Dunlap.
Bartlett.	Dunn of Falls.
Bateman.	Dunn of Hopkins.
Bean.	Durham.
Bedford.	Enderby.
Blount.	Farrar.
Bobbitt.	Faulk.
Boggs.	Fields.
Bonham.	Finlay.
Brown.	Florence.
Cade.	Frnka.
Carter.	Graves.
Chitwood.	Gray.
Coffey.	Hagaman.
Conway.	Hall.
Coody.	Harman.
Covey.	Harper.
Cox of Lamar.	High.
Cox of Navarro.	Hollowell.

Hoskins.	Purl.
Irwin.	Raymer.
Jacks.	Renfro.
Jasper.	Rice.
Johnson.	Rogers.
Jordan.	Rowell.
Kayton.	Rowland.
Kemble.	Runge.
King.	Sanford.
Kinnear.	Shearer.
Kittrell.	Sheats.
Laird.	Simmons.
Lane of Hamilton.	Simpson.
Lane of Harrison.	Sinks.
Lipscomb.	Smith of Nueces.
Loftin.	Smith of Travis.
Low.	Smyth.
Mankin.	Sparks.
Masterson.	Stautzenberger.
McBride.	Stell.
McDonald.	Storey.
McDougald.	Stout.
McFarlane.	Strong.
McGill.	Teer.
McKean.	Thompson.
McNatt.	Tomme.
Merritt.	Veatch.
Montgomery.	Wade.
Moore.	Walker.
Nicholson.	Wallace.
Parish.	Webb.
Pavlica.	Wells.
Pearce.	Westbrook.
Perdue.	Wester.
Petsch.	Williamson.
Poage.	Wilson.
Pool.	Woodruff.
Pope.	Young.
Powell.	

Absent.

Barker.	Kenyon.
Foster.	Stevens.
Houston.	Stevenson.
Justice.	

Absent—Excused.

Amsler.	Maxwell.
Bird.	Rawlins.
Bryant.	Robinson.
Hull.	Taylor.
Jones.	

A quorum was announced present.

Prayer was then offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leave of absence on account of important business:

Mr. Amsler for today, on motion of Mr. Alexander of Bastrop.

Mr. Jones for today, on motion of Mr. McDougald.

Mr. Rawlins for today, on motion of Mr. Bobbitt.

Mr. Dielmann for today, on motion of Mr. Sinks.

Mr. McNatt for today, on motion of Mr. McFarlane.

Mr. Robinson for today, on motion of Mr. Sheats.

Mr. Bryant for today, on motion of Mr. Albritton.

The following members were granted leave of absence on account of sickness:

Mr. Hull for today, on motion of Mr. Cade.

Mr. Bird for today, on motion of Mr. Rowell.

The following members were granted leave of absence for today on account of important committee work:

Messrs. Boggs, Sheats, Cox of Lamar, Covey, Brown, and Donnell.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hall:

H. B. No. 411, A bill to be entitled "An Act to amend Chapter 10 of the General Laws of the State of Texas passed by the Thirty-eighth Legislature, at its Second Called Session and approved June 18, 1923, Session Laws, page 166, allowing certain classes of cities to disannex contiguous unimproved territory of not less than three acres, the same being so amended as to include cities of a lesser population than is provided in said act, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Hagaman:

H. B. No. 412, A bill to be entitled "An Act to require operators of motor vehicles to obtain license as operators, specifying date when same shall take effect; providing for qualification of licensees; providing that the State Highway Commission shall administer and enforce the provisions of this act; providing that the tax collector of each county shall, under the direction and supervision of the State Highway Commission receive applications for licenses to operate motor vehicles, to administer such tests as may be required, and issue the license provided herein, and authorizing the State Highway Commission to adopt all necessary rules and regulations to make effective this provision with the least expense and inconvenience to the public; providing for form of application for license to be prescribed by

the State Highway Commission; prescribing a fee to be paid for same and the disposition of such fees; providing for the operation of motor vehicles pending the determination of the application for license; requiring applications by minors to be signed by both parents, if living, and if not by the surviving parent or guardian of such minor; providing for the appointment by the tax collector of investigators to assist him in determining whether or not the application for license shall be granted and to determine the time and place of such examination; providing for the operation of motor vehicles by parties whose application has been favorably endorsed pending the action of the Highway Commission thereon; providing for the suspension, cancellation and renewal of operator's license and for the issuance of duplicate license; providing for appeal where license is refused; making it a misdemeanor for anyone to operate a motor vehicle in this State who does not hold a license therefor, except as otherwise provided herein; defining the jurisdiction of district and county courts for the enforcement of this act; for the hearing where it is sought to suspend or cancel a license and for fees of witnesses in such cases; providing penalties for obtaining license by fraudulent means and providing for the expense of administering this act and the compensation to be paid tax collectors for their service; for exempting certain persons from the operation of this act; to define the terms used in this act, and to repeal all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Covey:

H. B. No. 413, A bill to be entitled "An Act to establish and re-define and re-name Common Consolidated District No. 1 of Hardeman county, Texas; to validate all elections heretofore held in said district for local taxes for the maintenance of schools in said district; to validate and assume the payment of all bonds outstanding against said district and providing that all taxes and bonds heretofore authorized by said Common Consolidated District No. 1 shall remain in full force and effect; that this district as re-defined and established shall be known as the Bailey High Common Consolidated District No. 1 of said Hardeman county, Texas; providing that said district shall be liable for its pro rata part of any outstanding bonded indebtedness upon a part of any terri-

tory taken from any other school district; providing that said Bailey High Common Consolidated School District No. 1 in Hardeman county, Texas, shall be under the general laws of the State of Texas, with respect to common consolidated districts when not in conflict with this act, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Bean:

H. B. No. 414, A bill to be entitled "An Act creating the Bessmay Independent School District in Jasper county, Texas, out of part of the territory included in the Buna Independent School District; defining its boundaries and re-defining the boundaries of Buna Independent School District; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the boards of trustees thereof; declaring that all taxes or bonds heretofore authorized by any former school district included within the bounds thereof shall remain in full force and effect; repealing all laws and parts of laws in conflict herewith; and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Covey:

H. B. No. 415, A bill to be entitled "An Act creating and incorporating Goodlett Independent School District in Hardeman county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and a board of equalization; providing that the Goodlett Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Common School District No. 32 in Hardeman county, Texas; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 32; providing that the title to all property now vested in Common School District No. 32 shall on the passage of this act vest in Goodlett Independent School District as herein created; providing for filling

vacancies in the board of trustees; providing for the collection of delinquent taxes; providing for taking scholastic census; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing that invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision hereof, and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Montgomery and Mr. Faulk:

H. B. No. 416, A bill to be entitled "An Act prohibiting the sale, offer for sale, and exposing for sale, within this State, for human consumption, and the transportation, and delivery to any common carrier for transport, within this State, of diseased, immature, unripe, overripe, or frost damaged oranges, lemons, grapefruit or other citrus fruits; or any oranges the juice of which shall contain more than one and three-tenths per centum, by weight, of crystallized citric acid; or any grapefruit the juice of which shall contain more than one and three-fourths per centum, by weight, of crystallized citric acid; or any misbranded citrus fruit; defining the offense of misbranding citrus fruit; prescribing the powers of the Commissioner of Agriculture with regard to the provisions of this act; making his official certificate admissible in evidence in proof of certain facts; and fixing a penalty for violation of the provisions of this act, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Gray (by request):

H. B. No. 417, A bill to be entitled "An Act to amend Section 1, Chapter 70, of the Acts of the Thirty-sixth Legislature, Third Called Session, entitled 'Creating an independent school district, to be known as the Dumas Independent School District,' etc., by re-defining and adding to the Dumas Independent School District all the territory now embraced in Common School District No. 1 of Moore county, Texas; and adding thereto Section 1a, divesting the said Common School District No. 1 of the control of the public free schools in said District No. 1 and investing the said Dumas Independent School District with full control of the public free schools within the limits of said independent

school district, as herein defined; and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Rawlins, Mr. Purl, Mr. Irwin, Mr. Strong, Mr. Jacks, Mr. Rowland, and Mr. Jordan:

H. B. No. 418, A bill to be entitled "An Act to amend House bill No. 34, Acts of the Thirty-fifth Legislature, 1917, Chapter 16, Section 2, to provide for the appointment of probation officers, fixing their salaries and prescribing the duties of said probation officers."

Referred to Judiciary Committee.

By Mr. Bobbitt:

H. B. No. 419, A bill to be entitled "An Act to amend Section 2 of Chapter 91 of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the organization and time of holding district courts in the Forty-ninth Judicial District of Texas, and to amend Section 2 of Chapter 55 of the Acts of the Regular Session of the Thirty-eighth Legislature relating to the organization and time of holding district courts in the Seventy-ninth Judicial District of Texas, so as to take Jim Hogg county, Texas, out of said Seventy-ninth Judicial District and place it in said Forty-ninth Judicial District and to provide for rearranging for the time and terms for holding court in said districts and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judicial Districts.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Nicholson, House bill No. 26 was ordered not printed.

On motion of Mr. Dinkle, Senate bill No. 169 was ordered not printed.

BILL RECOMMENDED.

On motion of Mr. Daniels, House bill No. 85 was recommended to the Judiciary Committee.

TO PAY CERTAIN EX-MEMBERS OF THE HOUSE.

Mr. Nicholson offered the following resolution:

Whereas, In pursuance of attitude and practices of the House during the past, on occasions of the deaths of members, the then Speaker of the House of Representatives of the Thirty-eighth Legislature, Hon. R. E. Seagler, directed certain members to be present and partici-

pate at the funeral of the late Hon. J. O. Merriman, then a member of the House, and there act in behalf of the House in the presentation of floral offerings, etc.; and

Whereas, In carrying out said request, expenses were incurred by the Hon. L. C. Stewart in the amount of thirteen dollars and forty cents (\$13.40) and by the Hon. B. E. Quinn, in the amount of thirty-three dollars and fifty cents (\$33.50) all as itemized and set forth in two certain affidavits; and

Whereas, The said Hon. L. C. Stewart and B. E. Quinn have not been reimbursed for such expenses, this being the first succeeding session of the Legislature; now, therefore, be it

Resolved, That the House declare the expenditures, as heretofore described, to be an indebtedness against the contingent expense fund of this House; and be it further

Resolved, That the House authorize reimbursement to the Hon. L. C. Stewart and the Hon. B. E. Quinn, of their respective expenditures, from said contingent expense fund, by mailing to them drafts satisfying the indebtedness in full.

The resolution was read second time.

On motion of Mr. Bean, the resolution was referred to the Committee on Contingent Expenses.

RELATING TO COTTON TAX REFUND MEASURE.

Mr. Webb offered the following resolution:

H. C. R. No. 13, Relating to cotton tax refund measure.

Whereas, More than half a century has elapsed since the close of the war between the States, and the survivors of those who met in conflict on the field of carnage are rapidly passing; and

Whereas, All enmity that once existed between the actual participants in that unfortunate struggle has long since ceased, and the survivors of the remnants of the mighty armies which clashed on the fields of battle now meet each other as brothers and mingle together as erstwhile comrades in arms, though once upon opposing sides; and

Whereas, The strife, bitterness, and agitation that kept alive the flame of old hatreds are not attributable to the real soldiers of either the North or South, but to political propaganda fostered by place hunters, and those of the reconstruction extremist adherents of Thaddeus Stevens rather than of Abraham Lincoln. (President Lincoln's un-

timely death was the greatest blow that the South suffered. He was opposed to reconstruction by force, and opposed to the policies of his successor let by Stevens, an aged and bitter extremist. President Lincoln's position was that the Union is older than the States, and in fact preceded the States. He recognized the States, physically speaking, as historically and legally indissoluble, and that it was not possible to build an impassable wall between the sections); and

Whereas, Growing out of the war was the enactment of a law known as the Cotton Tax Act, and under its provisions millions of dollars were illegally collected from cotton, the great staple crop of the South, and a crop of paramount importance to the entire country; and

Whereas, It appears that in the collection of this tax there were additional burdens imposed upon an already impoverished people, and a section of country reduced to ruin and bankruptcy at the termination of the fratricidal strife between people of the same country, and that justice requires the refunding or restitution of these funds so exorbitantly and illegally exacted from an impoverished section of country; therefore, be it

Resolved by the Senate and the House of Representatives of the State of Texas, That our representatives in Congress be urged to exert their utmost efforts, and put forth their best endeavor in the effort to have enacted into law the bill introduced by Congressman Tillman, of the State of Arkansas, known as the Cotton Tax Refund Measure; be it further

Resolved, That copies of this resolution be transmitted to each of our Senators and Representatives in Congress.

Signed—Webb, Albritton.

The resolution was read second time and was adopted.

REPORT OF COMMITTEE ON FORESTRY.

Mr. Sanford submitted the following report, which was ordered printed in the Journal:

Austin, Texas, January 12, 1925.

The Governor of Texas and Thirty-ninth Legislature:

The committee appointed by the Governor in pursuance of resolution No. 13, passed by the Senate of the Thirty-eighth Legislature, and directed to institute an inquiry into conditions affecting the timber supply of the State, and to sub-

mit recommendations for the conservation of our timber resources and for the establishment of a constructive forestry policy embracing provisions for the reproduction of timber upon a commercial scale on our deforested lands, respectfully present the following report and recommendations:

The National Forestry Situation.

In connection with a review of the timber resources of Texas, a brief outline of commercial forest conditions throughout the United States will be found not only interesting but as carrying some very pertinent lessons to our people. The continental United States is estimated to have had originally an area of 822,000,000 acres of timber land. Of this vast territory it is estimated that but 138,000,000 acres of the virgin growth now remain. This virgin timber, especially the softwood species, is being used at least eight times as fast as new growth is replacing it. Approximately 250,000,000 acres are estimated to have a second growth of timber of limited value. At this time, owing to the advance of agriculture and other changes in the original conditions of the country, the United States is estimated to have less than 475,000,000 acres of forested lands or lands capable of producing commercial timber, which is about one-fourth the land surface of the country. The ownership of this potential forest producing area is divided between government and private ownership as follows:

	Acres	Per cent
Privately owned	375,000,000	79.0
Federal government ..	90,000,000	18.9
State governments ..	9,000,000	1.9
Municipalities	400,000	.2
	<hr/> 474,400,000	<hr/> 100.0

An interesting fact in connection with the remaining supply of virgin timber is that it is largely located at considerable distance from the markets it supplies. Approximately half of the present amount of merchantable timber is located in five Pacific Northwest States while the principal lumber consumption area lies east of the Rocky Mountains. In 1920 the government figured the average carload haul was 485 miles; the freight bill for lumber that year was reported at \$250,000,000. Few States in the Union produce sufficient lumber to meet the annual requirements of their

people, so nearly all the people are beginning to feel the tremendous tax transportation of timber supplies entails. Practically the whole of the United States is facing increasingly inadequate supplies of timber with rapidly mounting costs.

Most of the States have remained inactive while their wealth of timber resources were being exhausted without constructive effort to provide for the conservation and reproduction of such resources. Only in recent years has much been attempted in the way of reforestation by the States, and while all the States of the Union are today credited with having acquired about 9,000,000 acres for timber production, no State has worked out, in a final and satisfactory manner, an equitable policy to encourage reforestation by private owners of lands suited to timber production of commercial value. Legislation providing for comprehensive forestry programs is now up for consideration in many of the timbered States. However, the procrastination on the part of the State governments to conserve their natural resources and provide for the replacement of the forest growth within their borders, eventually led the Federal Congress to inaugurate a National Forestry Policy. This policy of the national government includes not only the conservation of the timber on the public lands still owned by the national government in the far Western States, but the acquisition as well by the United States of lands in the different States that are found suitable to reforestation and co-operation in minimizing the timber loss in the several States from destructive fires; the Congress making available limited sums for allotments to the several States each year to be expended in connection with State funds for the like purpose of fire prevention. Under this policy to acquire timber lands in the different States the United States government has up to the present time purchased approximately 1,400,000 acres in eight Southern States for the purpose of commercial reforestation, the States permitting by statute the establishment of such national forest areas.

The Situation in Texas.

Texas has been more backward in the conservation of its natural resources and its vast timber wealth in particular than most of the other States possessing a considerable timbered area.

With an original forest of virgin pine approximating 14,000,000 acres, there now remains less than 1,500,000 acres; and it is estimated that at the rate of present lumbering operations practically the entire acreage of virgin pine forests in the State will be exhausted in the next ten or twelve years. The reproduction of timber of commercial value on the vast area that has been cut over, a great part of which is not considered suitable for any other purpose, has had but meager encouragement from the State. Nine-tenths of the original Texas pine area of 14,000,000 acres has been cut over. Less than 2,000,000 acres of this cut-over area is supporting a second growth stand of pine, but much of this second growth timber is small and will not attain merchantable size within from fifteen to twenty-five years. An additional million acres contains a sparse stand of young trees. It is estimated that the young timber now growing on the cut-over lands will produce less than one-third of the lumber used by Texas citizens today. The dissipation of these vast stores of building material under the exigencies of an ever quickening spirit of commercial enterprise, without the establishment of some constructive policy by the State for timber conservation and reproduction in the public interest, represents a governmental dereliction destined to become colossal in the magnitude of its cost to the citizens of the State, and eloquent alike of the characteristic indifference of the American people toward the destructive waste of the great sources of wealth with which nature endowed our country, and of the lack of constructive foresight among the people in protecting their future economic well-being. Facing devastated forests and the certainty of the early necessity of importing the larger part of the building material needed for homes and necessary commercial and industrial enterprise at high prices and heavy freight tariffs, our State government has done little more than to make a gesture in the direction of reforestation of the cut-over areas unsuitable to other purposes than timber growing. While the Legislature in 1915 recognized our forestry problems to the extent of creating a State Department of Forestry, operating under the supervision of the Agricultural and Mechanical College, the appropriations for the development of constructive forestry work have since that time been extremely limited and not at all com-

mensurate with the importance of our forestry problems when considered in connection with our public welfare. With the meager funds made available it has been possible for the State Department to maintain a skeleton forest fire prevention force in a portion of the cut-over areas; collect data on forest conditions, and assist the farmers of Texas in connection with the management of farm woodlands or advisable tree planting. However, it has been out of the question to give adequate attention to the development of any line of forestry endeavor. The last Legislature appropriated \$20,000 for the purchase of 4000 acres in the pine forest section to be used as demonstration tracts in the reproduction of pine timber on a commercial scale. But no attempt has been made by the State to provide conditions under which private citizens or private enterprise would find it practicable to undertake reforestation.

This unfortunate failure to provide conditions for the encouragement of timber reproduction is creating a situation more serious in its economic aspect and more threatening to our popular welfare than any other condition brought about through the social development and industrial growth of the State. We have yet to realize the seriousness of the problem of unused lands, and the fallacy of the all too commonly accepted belief that practically all our arable lands are capable of profitable agricultural employment, and that they will soon be required for such purposes. It would appear clearly evident, and is generally accepted by agricultural economists, that necessary increased production in agriculture will come in the future more from the intensive cultivation of the heavier and richer soils rather than from the increased acreage of thin and poor soils. As an evidence of this fact there are sections of the United States in which the agricultural area has actually decreased while production has increased. In the forest areas of Texas prosperous cities and towns have grown up, largely as a result of the wealth of commercial timber surrounding them. Prosperous cities and towns in the treeless plains and other parts of the State have also grown up, assisted in their development in no small measure by the nearness of an apparently inexhaustible supply of building material at comparatively reasonable cost. The burden of idle forest lands is not a mere specter to conjure our fears, but a reality that

is already felt by a few States, and Texas has waited too long in its indifference to reforestation of timber areas unfitted to agricultural uses to wholly escape. Under our present tax laws, and under existing tax levies for various purposes, reforestation by private enterprise is a practicable impossibility. Those citizens disposed to reforest their land holdings are deterred by the uncertainty as to the taxes that may be imposed on growing crops of timber through the long series of years necessary to mature such crops.

So far this report has dealt with factors pertaining to the reforestation of the cut-over lands now largely idle. The committee appreciates that other forestry problems are of material importance and should have consideration in a discussion of the forestry situation. The Texas farmers use more lumber than any other class of citizens and are, obviously, interested in having the non-agricultural cut-over lands put to work producing future timber supplies. The farmers in the commercial timber belt of East Texas are, moreover, vitally concerned in forestry progress since they own 3,150,000 acres classed as forest land. In fact, more than half of the land that has come back to second growth timber in East Texas is owned by farmers. The average farmer knows vastly more about growing and marketing his cotton, corn and live stock than he does about growing and marketing timber. The State is rendering assistance to the farmer along agricultural lines and should also assist the farmer in developing his forest property. Proper methods of forest management applied to the huge timbered acreage owned by the farmers will not only benefit the farmers themselves but will also be of distinct benefit to the public in that increased timber supplies from farmers' woodlots will be available when the remaining virgin timber has disappeared. The Thirty-eighth Legislature recognized the importance of this work for the first time but provision should be made for increased support so that the field may be adequately taken care of. The farmers are also interested in the forest taxation proposals embodied in this report since any taxation provisions made by the State would apply to farm forests in the same manner as to reforestation projects embodying several hundred thousand acres.

Another distinct line of forestry work pertains to the encouragement of tree

planting in the treeless agricultural portions of Texas. A survey of the treeless agricultural portions of the State shows that the farmers have done much less along the lines of planting groves and windbreaks than have the farmers of Kansas, Oklahoma, Nebraska and other plains States. Groves, properly located, will not only serve to shelter the farmstead in winter and provide shade during the summer months, but will also produce usable wood material such as posts, poles and fuel. The planting of windbreaks judiciously located to protect growing crops and orchards is advisable over large areas. Tree planting of this kind cannot help but enhance land values and make treeless regions a better and more comfortable environment in which to live. The State should foster tree planting of this character in every way possible. Fifteen States have established State nurseries and are supplying seedling trees for grove and windbreak planting at actual cost of production and the committee would recommend to the Legislature a careful inquiry concerning the public usefulness of such a service in Texas.

Forestry Neglect Costly to the State.

Our forest resources have greatly increased the wealth of the State during past decades, upon them a huge lumber industry has been developed, employing thousands of citizens and representing an investment in excess of \$100,000,000. Forest industry has built up many towns and cities in the commercial timber belt, stimulated the construction of railroads and highways, afforded a home market for the products of the farm, and contributed no small share of local and State taxes. Depletion of the State's timber supply and the increasing acreage of denuded unproductive lands in the forest areas will seriously affect the prosperity of that whole section of the State; enterprises will have to be abandoned, taxable valuations will decline, population will dwindle and from a prosperous section in the vanguard of public enterprise and public improvements, it must inevitably revert to an attitude of semi-dependence upon the other and more prosperous sections of the State for those improvements which are Statewide in character and those expenditures in which the whole citizenship of the State share in common. Nor will the other sections of the State escape the direct influence of un-

productive millions of acres of forest lands formerly the source of supply of necessary building material for all purposes. Diminished taxes from the wealth of timber products and the diversity of enterprise which such wealth has been instrumental in creating, and enormously increased costs of building material and freight charges will fall heavily upon every section of the State.

The burden of idle lands and the effect of denuding forest areas without provision for replacement of the timber necessary to carry on varied activities is forcibly illustrated by actual conditions in certain localities in the State of Michigan, where the great wealth of white pine has been almost entirely exhausted. In six representative cities in the agricultural portion of Michigan the average tax rate in 1919 was \$25.85 per \$1000 of assessed valuation. In nineteen representative cities in the devastated timber section the average tax rate for the same year was \$48.21; due more or less to obligations undertaken during the period of prosperity of the forested section. In 1919-20 in nine Michigan counties practically denuded of timber, the State tax levy was \$256,793; some counties failing to pay a considerable part of the tax, but the nine counties drew from State school funds alone \$295,020. The effect on distribution of population is strikingly illustrated in the history of a number of the States which exhausted their virgin forest areas at an earlier date than Texas. The original timber crop was harvested with no new growth to take its place and serve as a sustaining factor. The industries and enterprises originally built upon available supplies of wood, languished and failed while labor and capital were forced to seek new fields of employment.

Wood in its various forms is absolutely essential to our agricultural and industrial prosperity, and the country or the State which fails to conserve its timber resources and to provide for their reproduction is sowing the seeds of economic retribution. We need a broader perspective in our attitude toward the conservation of natural resources. Just as we shall in the not distant future be forced by considerations of our own welfare to realize the costly economic injury done to this generation by the failure to embody, in the original Constitution of the State, provisions for the replenishment of our splendid forests as they were denuded of their original

growth, we shall come to recognize an unquestioned responsibility for the use of these resources without negligent waste or wanton indifference to the future welfare of our country and its people. Patriotism must come to be considered not alone as love of country and pride in the preservation of the integrity of its institutions, political and social, but also as the protection and perpetuation of these great natural resources which provide the foundation for all industry, prosperity and contentment.

Factors Involved in a Forestry Policy.

The committee is deeply sensible of the responsible duty of outlining a constructive policy for the conservation of the forest wealth of the State and the reproduction of forest growth upon those lands unsuited to other purposes than that of timber growing. We express our conclusions concerning plans to be recommended only after careful consideration of available information, public hearings in the commercial timber belt and an examination of the experience of those countries and States which have made progress with the problem confronting us at this time.

There are three plans for reforestation of timber lands receiving the consideration of the different States at this time.

The first is the reforestation work of the Federal government through acquisition of lands within the States, which policy is authorized by Congress and money for which is appropriated from time to time.

The second plan is for the acquisition of the deforested lands by the State, the purchase price of the lands being provided by appropriations from the general revenues, or by the issuance of long time bonds at low rates of interest, the bonds to be retired as the timber grown is cut from the land, the timber usually being marketed on the stump under conditions established by the State.

The third plan is to encourage private enterprise to undertake the restoration of timber growths upon the lands unsuited to or not needed for agricultural purposes.

These policies are to be found embodied in some form in the legislation of the different States that are fostering the restoration of their forest areas. Some of the States have expressed a willingness to have the Federal government acquire national forests for the

production of commercial timber within their borders, evidently moved by the thought that the example of reforestation methods practiced by the Federal Forest Service would prove an encouragement and inspiration to their citizens.

In most of the States the policy of acquiring lands for reforestation by the State is provided for on as liberal a scale as the popular sentiment makes funds available for the purpose. In some States the purchase money is provided by appropriation, and in some by bond issue voted by the people. New York now has 1,990,000 acres in State forests and recently approved a bond issue of \$5,000,000 for the purchase of additional areas. Massachusetts, through bond issues, spends \$400,000 annually in the acquisition of State forest areas. The sentiment appears to have gained rather wide acceptance early in the consideration of reforestation policies that the reproduction of timber on a commercial scale on the non-agricultural lands was an enterprise involving so long a time that it was the prerogative and the duty of the State or the Federal governments. However, the trend during the past decade in most timbered States has been towards the enactment of forest taxation legislation and needful public co-operation so as to permit and encourage private capital and interests to actively undertake the reforestation of the bulk of the timber growing lands now in private ownership. In view of the fact that 375,000,000 acres, or practically 80 per cent of the timber growing and of the nation, is now in private ownership a more speedy solution of the forest renewal problem will be secured provided State legislation is enacted making timber growing a feasible financial proposition for private capital.

The committee appreciates that the long period required for maturing a timber crop is calculated to raise many obstacles of a different nature in the way of private citizens entering upon the reforestation of lands from which the timber has been cut, or lands suited to timber production. The first and paramount of these obstacles is the question of taxation. With lands that are dedicated to the production of a crop requiring thirty to fifty years to mature, it is readily seen that taxes at the rate levied on lands annually productive can not be paid on the lands growing forest crops from which a smaller and de-

ferred revenue is obtained. Under the present system of taxation as applied to crops of growing timber it would be impossible to figure with any degree of assurance upon the result of such an investment after meeting the full measure of State, county and local district tax demands for a long period of years. A tax rate adjusted to the nature of the investment is a necessity and this can only be had through specific constitutional authority. Even where the tax problem is solved to a large extent by the provision for a special reasonable tax rate during the growing period, with a severance tax at the time of marketing as compensation for the deferred taxes, there still remain serious obstacles to the attractiveness and fullest success of private enterprise in reforestation projects. The death of the original owner dedicating the land to timber production, the breaking up of estates with consequent division and alienation of interests; and even in the case of corporate ownership; all these constitute problems which experience alone can best solve.

With a full realization of the gravity of the situation confronting the people of Texas through the depletion of their great forests so essential in home building and every enterprise contributing to the public welfare, the committee feels that the State must in the discharge of a long deferred duty to the people, take steps at the earliest practicable date to inaugurate a policy of timber conservation and reforestation commensurate with the prospective needs of its rapidly increasing population and expanding commercial and industrial activities. Had a constructive policy of forest conservation been embodied in our organic law as long as fifty years ago, we should today occupy an enviable position with a source of great wealth increasing each year, rather than be confronted by a rapidly disappearing timber supply, millions of acres of deforested and practically idle timber lands, with a heavy tax upon our people in higher costs of building material and freight charges.

While the tardiness of the State in providing for forest reproduction will be seriously felt by our citizens, the committee ventures to express the conviction that the situation in Texas may be, perhaps, less disturbing than that which is likely to develop in many of the other States of the Union. Under abundant rainfall and favorable climatic conditions the timber growth in the pine forest areas of Texas is comparatively rapid. Just as under intelligent methods of intensive agricultural production

better results are obtained, so with judicious supervision, assuring a better distribution of trees to acreage, protection from fires and insects, and from time to time the elimination of trees unsuitable for profitable use it is known that a greater acreage yield of merchantable stock will be secured than existed in the original forests. Our inquiries lead to the belief that the remainder of the virgin pine of East Texas will be practically exhausted in ten years at the present rate of milling. An early inauguration of a constructive reforestation policy by the State will produce considerable pine stumpage of useful size from second growth timber in twenty to thirty years, increasing in quantity as the years pass accordingly as the policy of reforestation adopted proves judicious in character.

The committee is disposed to share the feeling that the inactivity on the part of the States of the Union in making provision for the constructive preservation of the natural resources within their borders, has served to magnify in the popular mind the initiative of the Federal government in such fields of legislation and economic betterment. This situation in turn has encouraged the Federal government to assume responsibility and duties that are the proper function of the State governments. While the Federal law forming the basis of the Federal forestry policy contains provisions for the purchase of national forest areas in the various timbered States, the committee conceives that the main principle of this law contemplates the encouragement of the greatest possible participation in the reforestation problem by the States themselves and the owners of forest land. The Federal government does not seek land ownership in the States except as such acquisition may be invited by action of the States themselves as expressed through legislative enactment. On the other hand, the Federal law makes greatly increased funds available for co-operation with the States in forest fire prevention work on State and privately owned forest land and for co-operative work with the States in assisting the farmer in the proper management of his woodland and in the encouragement of tree planting by the farmer in treeless agricultural regions. In addition the Federal law provides funds to be used in co-operation with State forestry departments in a thorough study of the forest taxation problems to the end that just and equitable forest taxation laws may be enacted in the various States under

which it is hoped that the largest possible per cent of our timber growing land will be reforested and managed through private endeavor.

Recommendations for a Constructive Forestry Program.

After a careful consideration and study of the forestry situation, and the various economic factors involved, the committee herewith submits the following recommendations as a basis for a constructive forestry policy for Texas:

1. While appreciative of the co-operation of the Federal government in conserving our timber resources and encouraging practical reforestation of our deforested lands, we firmly believe that the construction and judicious basis of co-operation between the Nation and the State in forest protection and reproduction should be that which will leave the control of such co-operative operations to the State, and which will leave the ownership of all lands dedicated to reforestation to the State and its citizens.

2. We believe that, as a general proposition, the State should undertake to perform for its citizens only those things which the people cannot equally well do for themselves. However, the State should as soon as possible acquire such number of State forest areas, each of sufficient size to permit of economical protection and administration as would answer the purpose of practical demonstration in forest renewal and management. Such demonstration forest farms or areas might very profitably embrace as much as 100,000 acres distributed as to character of timber growth. For this purpose the Legislature now possesses the necessary authority to make appropriations from the general revenues and if the acquisition is spread over a period of three to four years the sums called for would not be sufficiently large to necessitate an increase in the State tax rate. Should the State fail in the fulfillment of a public duty to provide suitable legislation to encourage private participation in reforestation on a large scale within the next few years, it seems inevitable in the opinion of the committee, that the popular thought will turn more and more to the sentiment for the State to acquire the bulk of the idle cut-over lands through bond issues to be retired by revenues derived from the sale of timber on the State forests.

3. Believing that a policy recognizing the fullest possible participation of our citizens in reforestation enterprises is the most judicious, we recommend such

legislation as will make it feasible for private citizens and private capital to undertake the reproduction of timber upon the deforested lands of the State.

The first essential to bring this about is the adoption of a constitutional amendment authorizing the Legislature to provide by statute for a special system of taxation of lands dedicated by citizens to the growing of timber for commercial purposes. The legislation necessary to encourage private participation should comprise:

(a) A constitutional amendment adhering to the following form is suggested: "For the purpose of encouraging the conservation of the timber resources of the State and providing for the continuous production of a timber supply equal to the needs of the people in home building, farm requirements and the development of commerce and industry, the Legislature is empowered to enact just laws for the taxation of lands set aside to purposes of timber growing and for the supervision of such lands and the administration of such laws."

(b) A forestry code to be enacted under authority of the proposed constitutional amendment should provide for the creation of a non-salaried State Board of Forestry vested with authority to direct the work of the State Forester; to accept registration of lands dedicated by private owners to timber growing; to determine a just valuation of all such registered land for taxation; to prescribe regulations and determine the extent of public and private co-operation in the protection of said lands from fire; and if deemed essential, to readjust such valuations of registered lands for tax purposes at stated periods and when the timber is ready to market; to require the payment, by the owners of all such registered lands, of a severance or yield tax on a graduated scale. Such enabling act would necessarily provide for the collection of the deferred tax in the event lands dedicated to timber growing are sought to be withdrawn from the registration before maturity of the crop.

4. Pending the adoption of the constitutional amendment and the enactment of legislation so authorized, the existing State Forestry Department should be more adequately supported. Co-operative work in forest fire prevention and control is necessary to secure the reproduction of pine trees over large areas and to prevent the young pine timber from being destroyed. Making this vast area productive will be of distinct public benefit no matter

who owns title to the soil. Greatly increased funds will be available for allotment to Texas by the Federal government under the recently established Federal forestry program and private expenditures for forest protection are increasing from year to year. So far, the meagre State appropriations for forest protection have not been adequate to match all of the funds which the Federal government stood ready to allot to Texas. The State should make available for the protection work a sum at least sufficient to match the fund the Federal government is ready to designate for this purpose. The control of the fire nuisance will permit nature to reforest the bulk of the idle cut-over lands and is considered fundamental in any program of reforestation. Co-operative work along this line comprises the most effective and cheapest effort that can be made at this time to convert the non-idle cut-over areas from a menace to a productive asset.

The work already under way relative to assisting the timberland owning farmers and farmers in the treeless sections should be given increased recognition so that the productivity of farm woodlands may be increased and tree planting brought about on treeless farms.

In view of the serious insect infestation now affecting the remaining merchantable pine timber in East Texas, which has caused the death of 25,000,000 board feet of timber during 1924, the State should take steps to work out measures for the control of such injurious insects and make such information available to the timber owners.

In recommending reforestation by private owners of timber lands, the committee recognizes the obstacles that will certainly be raised from time to time of continuity of ownership of dedicated lands, and the division of estates and distribution of interests. This condition is calculated to cause the withdrawal of many tracts of lands from reforestation purposes. To minimize this difficulty as much as possible the committee would recommend that special effort be made to provide for financing timber growing projects, under registration with the State, through some form of long time loans at low rate of interest. It may be that the Federal government can render the State valuable co-operation by such amendments to the Federal Farm Loan Act as will enable the National government to carry on such timber growing lands under registration with the State.

Reforestation through private initia-

tive and the investment of private capital will not be put on a proper basis until an amendment shall be adopted, and the Legislature shall have enacted an enabling statute in conformity therewith, thus giving the State a definite plan for the advancement of reforestation. The committee conceives this suggestion for the active participation by the citizens of the State in solving its timber problems to be in accord with the spirit that has developed the State to its commanding position in commerce and industry, and further needless delay in the establishment of such policy can only lead to the solution of this problem by the State assuming the entire responsibility.

The rather extended study that the duty imposed upon the committee has made necessary has proven exceedingly interesting, and its members conclude this report with the feeling that if the Legislature and the people shall translate its recommendations into law and practice, a great constructive State policy will have been established contributing to the greatness of the State and the welfare of its citizens in the years to come.

Respectfully submitted,
 SENATOR I. D. FAIRCHILD,
 Chairman, Lufkin;
 SENATOR E. E. WITT, Waco;
 HON. F. H. BURMEISTER,
 Christine;
 HON. GARY B. SANFORD,
 Garrison;
 W. GOODRICH JONES, Waco;
 R. W. WIER, Houston;
 HON. LEONARD TILLOTSON,
 Sealy;
 R. A. GILLIAM, Dallas;
 F. H. FARWELL, Orange;
 MRS. BEN F. BOYDSTUN,
 Greenville;
 HON. W. L. DEAN, Huntsville.

RELATING TO HOUSE BILL NO. 265.

Mr. Loftin moved to reconsider the vote by which House bill No. 265 failed to pass and asked to have the motion to reconsider spread on the Journal.

HOUSE BILL NO. 382 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 382, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State, and other expenses of main-

taining and conducting them for the two fiscal years beginning September 1, 1925, and ending August 31, 1927, as follows, to wit: Confederate Woman's Home; State Confederate Home; State Colony for Feeble-Minded; Deaf, Dumb and Blind Institute for Colored Youths; East Texas Hospital for the Insane; State Epileptic Colony; Girls' Training School; Home for Dependent and Neglected Children; North Texas Hospital for Insane; Northwest Texas Hospital for Insane; Southwestern Insane Asylum; State Juvenile Training School; State Lunatic Asylum Annex; State Orphans' Home; State Tuberculosis Sanatorium; State Hospital for Crippled and Deformed Children, and declaring an emergency."

The bill was read second time.

The House, by unanimous consent, agreed to consider the bill department by department.

Mr. Smith of Travis offered the following amendment to the section of the bill relating to the State Lunatic Asylum:

Amend House bill No. 382 by striking out all on pages 31 and 32 and inserting in lieu thereof the following:

"The erection of a fireproof building at a designated and established asylum sufficient to house 200 patients and transfer the unexpended balance now appropriated to maintain the old blind institute at the corner of Nineteenth Street and East Avenue, Austin, Texas, to erect and furnish such building."

On motion of Mr. Blount, the amendment was tabled.

Mr. Merritt offered the following amendment to this section of the bill:

Amend House bill No. 382, page 28, line 34, by striking out "\$720" where it occurs and insert "\$900" in place thereof.

The amendment was lost.

Mr. Blount offered the following (committee) amendment to the section of the bill relating to the State Confederate Home:

Amend House bill No. 382, page 4 of the printed bill, by adding to line 36 the words, "and addition to new hospital building," and by striking out the figures "\$12,500" in each column and inserting "\$25,000" in each column.

The amendment was adopted.

Mr. Fields offered the following amendment to this section of the bill:

Amend House bill No. 382, page 4, between lines 11 the following words: "Provided, that the physician and sur-

geon herein provided that the time required for the presence of the physician and surgeon at the home shall include the night hours."

Question recurring on the amendment, yeas and nays were demanded.

The roll was called and developed the fact that there was not a quorum present.

Mr. Kemble moved a call of the House for the purpose of securing and maintaining a quorum pending consideration of House bill No. 382 and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called and the following members were present:

Acker.	Harman.
Albritton.	Harper.
Alexander	High.
of Bastrop.	Hollowell.
Alexander	Irwin.
of Limestone.	Jacks.
Atkinson.	Jordan.
Avis.	Kayton.
Baker of Orange.	Kemble.
Baker of Panola.	King.
Barron.	Kinnear.
Bartlett.	Kittrell.
Bateman.	Laird.
Bean.	Lane of Hamilton.
Bedford.	Lane of Harrison.
Blount.	Lipscomb.
Bonham.	Loftin.
Cade.	Mankin.
Conway.	Masterson.
Coody.	McBride.
Dale.	McDonald.
Daniels.	McDougald.
Davis of Dallas.	McFarlane.
Davis of Wood.	McGill.
DeBerry.	McKean.
Dinkle.	McNatt.
Donnell.	Merritt.
Dunlap.	Montgomery.
Dunn of Falls.	Moore.
Dunn of Hopkins.	Nicholson.
Durham.	Pavlica.
Enderby.	Perdue.
Farrar.	Poage.
Faulk.	Pool.
Fields.	Pope.
Finlay.	Powell.
Florence.	Purl.
Frnka.	Renfro.
Gray.	Rice.
Hagaman.	Rogers.
Hall.	Rowell.

Rowland.	Taylor.
Runge.	Thompson.
Sanford.	Tomme.
Shearer.	Wade.
Simpson.	Walker.
Sinks.	Webb.
Smith of Nueces.	Wells.
Stautzenberger.	Westbrook.
Stell.	Wester.
Stevens.	Williamson.
Stevenson.	Wilson.
Storey.	Woodruff.
Stout.	Young.
Strong.	

Absent.

Barker.	Justice.
Bobbitt.	Kenyon.
Carter.	Low.
Chitwood.	Parish.
Coffey.	Pearce.
Cox of Navarro.	Petsch.
Cummings.	Raymer.
Downs.	Simmons.
Foster.	Smith of Travis.
Graves.	Smyth.
Hoskins.	Sparks.
Houston.	Teer.
Jasper.	Veatch.
Johnson.	Wallace.

Absent—Excused.

Amsler.	Dielmann.
Bird.	Hull.
Boggs.	Jones.
Brown.	Maxwell.
Bryant.	Rawlins.
Covey.	Robinson.
Cox of Lamar.	Sheats.

The Speaker announced a quorum present.

Question again recurring on the amendment by Mr. Fields, yeas and nays having been demanded.

The amendment was adopted by the following vote:

Yeas—84.

Albritton.	Downs.
Alexander	Dunlap.
of Bastrop.	Durham.
Baker of Panola.	Farrar.
Barron.	Fields.
Bartlett.	Finlay.
Bateman.	Frnka.
Bedford.	Graves.
Bonham.	Hagaman.
Cade.	Hall.
Conway.	Harman.
Dale.	Harper.
Davis of Dallas.	High.
Davis of Wood.	Irwin.
DeBerry.	Jacks.
Dinkle.	Jordan.
Donnell.	Kayton.

Kemble.	Rowell.
Kinnear.	Rowland.
Kittrell.	Runge.
Laird.	Sanford.
Lane of Harrison.	Simmons.
Lipscomb.	Simpson.
Loftin.	Sinks.
Mankin.	Stautzenberger.
Masterson.	Stell.
McBride.	Stevenson.
McDougald.	Storey.
McFarlane.	Stout.
McGill.	Strong.
McKean.	Taylor.
McNatt.	Teer.
Merritt.	Thompson.
Moore.	Wade.
Pavlica.	Walker.
Pearce.	Webb.
Perdue.	Wells.
Poage.	Westbrook.
Pool.	Wester.
Pope.	Williamson.
Powell.	Wilson.
Renfro.	Young.
Rogers.	

Nays—22.

Acker.	Jasper.
Atkinson.	King.
Avis.	Lane of Hamilton.
Baker of Orange.	Low.
Bean.	Nicholson.
Coody.	Purl.
Dunn of Falls.	Rice.
Faulk.	Smith of Nueces.
Florence.	Stevens.
Gray.	Tomme.
Hollowell.	Veatch.

Present—Not Voting.

Alexander	Shearer.
of Limestone.	Woodruff.
McDonald.	

Absent.

Barker.	Houston.
Blount.	Johnson.
Bobbitt.	Justice.
Carter.	Kenyon.
Chitwood.	Montgomery.
Coffey.	Parish.
Cox of Navarro.	Petsch.
Cummings.	Raymer.
Daniels.	Smith of Travis.
Dunn of Hopkins.	Smyth.
Enderby.	Sparks.
Foster.	Wallace.
Hoskins.	

Absent—Excused.

Amsler.	Covey.
Bird.	Cox of Lamar.
Boggs.	Dielmann.
Brown.	Hull.
Bryant.	Jones.

Maxwell.
Rawlins.

Robinson.
Sheats.

Mr. Donnell offered the following amendment to this section of the bill: Amend House bill No. 382, page 4, line 11, by striking out the figures "\$2000" and insert in lieu thereof the figures "\$4000."

Mr. Blount offered the following substitute for the amendment:

Amend House bill No. 382, page 4, line 11, by striking out "\$2000" and insert in lieu thereof "\$2500."

On motion of Mr. Sanford, the Sergeant-at-Arms was instructed to bring all the absentees within the Capitol.

Question recurring on the substitute by Mr. Blount, it was adopted.

Question then recurring on the amendment as substituted, it was adopted.

Mr. Blount offered the following amendment to the section of the bill relating to the Northwest Texas Hospital for the Insane:

Amend House bill No. 382, page 22, of the printed bill by adding between lines 33 and 34 the following:

"Additional appropriation for the Northwest Texas Hospital for the Insane for the last quarter of the fiscal year ending August 31, 1927, and to be used and expended only in the event the building provided for in this act shall be completed and occupied during the fiscal year ending August 31, 1927:

Support and Maintenance	\$21,300
Dry Goods and Clothing	3,300
Assistant Physician	600
Attendants	3,800
Night Nurses	1,200
Cooks	600
Dietitian	400

Total\$31,200

The amendment was adopted.

Mr. Irwin offered the following amendment to the section of the bill relating to the State Juvenile Training School:

Amend House bill No. 382, page 26, by inserting between lines 36 and 37 "for vocational equipment, \$2500—\$2500."

The amendment was adopted.

House bill No. 382 was then passed to engrossment.

HOUSE BILL NO. 382 ON THIRD READING.

Mr. Blount moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 382 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114.

Acker.	Kinnear.
Albritton.	Kittrell.
Alexander	Lane of Harrison.
of Bastrop.	Lipscomb.
Alexander	Loftin.
of Limestone.	Low.
Atkinson.	Mankin.
Baker of Orange.	Masterson.
Baker of Panola.	McBride.
Barker.	McDonald.
Barron.	McDougald.
Bartlett.	McFarlane.
Bateman.	McGill.
Bean.	McKean.
Bedford.	McNatt.
Blount.	Merritt.
Bobbitt.	Montgomery.
Cade.	Moore.
Carter.	Nicholson.
Chitwood.	Parish.
Coffey.	Pavlica.
Conway.	Pearce.
Coody.	Perdue.
Cox of Navarro.	Pool.
Dale.	Pope.
Daniels.	Powell.
Davis of Dallas.	Renfro.
Davis of Wood.	Rice.
DeBerry.	Rogers.
Dinkle.	Rowell.
Donnell.	Rowland.
Downs.	Runge.
Dunlap.	Sanford.
Dunn of Falls.	Shearer.
Dunn of Hopkins.	Simpson.
Durham.	Sinks.
Enderby.	Smith of Nueces.
Farrar.	Sparks.
Faulk.	Stautzenberger.
Fields.	Stell.
Finlay.	Stevens.
Graves.	Stevenson.
Gray.	Stout.
Hagaman.	Strong.
Hall.	Taylor.
Harman.	Teer.
Harper.	Thompson.
High.	Veatch.
Hollowell.	Wade.
Hoskins.	Walker.
Irwin.	Wallace.
Jacks.	Webb.
Jasper.	Westbrook.
Johnson.	Wester.
Jordan.	Williamson.
Kayton.	Wilson.
Kemble.	Woodruff.
King.	Young.

Nays—3.

Raymer.	Tomme.
Smith of Travis.	

Absent.

Avis.	Laird.
Bonham.	Lane of Hamilton.
Cummings.	Petsch.
Florence.	Poage.
Foster.	Purl.
Frnka.	Simmons.
Houston.	Smyth.
Justice.	Storey.
Kenyon.	Wells.

Absent—Excused.

Amsler.	Dielmann.
Bird.	Hull.
Boggs.	Jones.
Brown.	Maxwell.
Bryant.	Rawlins.
Covey.	Robinson.
Cox of Lamar.	Sheats.

The Speaker then laid House bill No. 382 before the House on its third reading and final passage.

The bill was read third time and was passed.

ADDRESS BY HON. HAMILTON HOLT.

In accordance with the provisions of a concurrent resolution heretofore adopted, providing for a joint session of the House and Senate to hear an address by Dr. Hamilton Holt, the Honorable Senate, at 11 o'clock a. m., was announced at the bar of the House, and being admitted, the Senators were escorted to seats along the aisle already prepared for them, Lieutenant Governor Barry Miller and Dr. Holt being invited to the Speaker's stand.

Speaker Satterwhite then presented Lieutenant Governor Miller to the joint session, who introduced Dr. Holt.

Dr. Holt then addressed the joint session and the assemblage.

RECESS.

On motion of Mr. Hall, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

PRESENTATION OF DIARY OF CAPTAIN ADOLPHUS STERNE.

In accordance with the provisions of a concurrent resolution heretofore adopted providing for a joint session of the

House and Senate for the presentation and acceptance of the diary of Captain Adolphus Sterne, the Honorable Senate were announced at the bar of the House, and being admitted, were escorted to seats along the aisle, already prepared for them, Lieutenant Governor Miller and party being escorted to seats on the Speaker's stand.

Speaker Satterwhite presented Hon. R. M. Johnson of Anderson county, who introduced Hon. A. G. Greenwood of Anderson county to the joint session.

Judge Greenwood then presented to the State Library of Texas the diary of Captain Adolphus Sterne, stating that he presented this diary to the State in behalf of Captain Charles A. Sterne, son of Captain Adolphus Sterne.

Lieutenant Governor Miller presented Senator Hardin of Kaufman county, who presented Hon. Norman G. Kittrell, Sr., of Harris county.

Judge Kittrell then accepted the diary on behalf of the people of Texas.

SENATE RETIRES.

Lieutenant Governor Miller then stated that the Senate would retire to its chamber.

COMMUNICATION FROM HON. MIRIAM A. FERGUSON.

The Speaker laid before the House and had read the following communication:

Executive Department,

Austin, Texas, February 9, 1925.

Members of the Thirty-ninth Legislature, Capitol Station.

Gentlemen: This is to acknowledge receipt of the beautiful basket of roses given me on the day of my inauguration, together with your expression of good wishes.

Thanking you from the depth of my heart for this friendly expression of yours and assuring you that you have my very best wishes, I remain,

Yours very sincerely,
MIRIAM A. FERGUSON,
Governor.

HOUSE BILL NO. 249 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 249, A bill to be entitled

"An Act providing for the care, restraint, diagnosis and treatment of persons who are insane, mentally ill or mentally defective; providing for regulating and providing for operation of public institutions and hospitals for such persons; providing for the necessary officers, agents, agencies and employes for such purpose and to administer and enforce the laws relative to such persons; providing for sustenance and maintenance of such persons; providing for education and research relating to such persons; providing psychopathic research and hospitals; providing for the adjudication of insanity or mental sickness or defect, the commitment and restraint of persons so afflicted; licensing and regulating private persons, hospitals and institutions caring for or treating insane or mentally defective or ill persons; prescribing rules and regulations and defining offenses in connection with the care and treatment of such persons; providing the necessary funds and fixing necessary salaries to carry out the purpose of this act; repealing provisions of the Revised Civil Statutes and all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 249, Section 19, page 10, of the printed bill, by striking out "shall be," on line 31, and all of line 32, and insert in lieu thereof the following: "May be granted on additional leave by the superintendent, or upon his recommendation."

The amendment was adopted.

Mr. Wallace offered the following amendment to the bill:

Amend House bill No. 249 as follows: On page 7, in line 24, add the following, "In all cases of commitment of an insane person to jail or other place of temporary restraint, a notice of such commitment, giving the name and condition of patient and character of place to which he is committed, shall be sent immediately to the State Board of Control by the judge ordering the commitment."

The amendment was adopted.

Mr. Gray offered the following amendment to the bill:

Amend House bill No. 249 by striking out all of Section 3, beginning on line 25, page 2, and ending with line 3, on page 3.

On motion of Mr. Irwin, the amendment was tabled.

Mr. Purl offered the following amendment to the bill:

Amend House bill No. 249, Section 11, line 33, by striking out the words "two physicians" and insert "five physicians"; also on page 5, line 18, Section 10, substitute "five" for "two" and wherever else it occurs.

Mr. Irwin moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—93.

Acker.	Lipscomb.
Albritton.	Loftin.
Alexander	Mankin.
of Bastrop.	McBride.
Alexander	McDonald.
of Limestone.	McDougald.
Baker of Orange.	McFarlane.
Baker of Panola.	McGill.
Barker.	McKean.
Barron.	McNatt.
Bartlett.	Merritt.
Bobbitt.	Nicholson.
Bonham.	Parish.
Cade.	Pavlica.
Carter.	Pearce.
Chitwood.	Perdue.
Coffey.	Poage.
Cox of Navarro.	Pope.
Dale.	Powell.
Daniels.	Renfro.
DeBerry.	Rogers.
Dinkle.	Rowell.
Donnell.	Rowland.
Dunlap.	Shearer.
Dunn of Falls.	Simmons.
Durham.	Simpson.
Enderby.	Sinks.
Farrar.	Smith of Nueces.
Fields.	Stautzenberger.
Finlay.	Stell.
Florence.	Stevenson.
Foster.	Storey.
Frnka.	Stout.
Gray.	Strong.
Hagaman.	Taylor.
Hall.	Teer.
Harper.	Thompson.
High.	Tomme.
Hollowell.	Veatch.
Irwin.	Wade.
Jasper.	Walker.
Johnson.	Wallace.
Jordan.	Webb.
Kenyon.	Westbrook.
King.	Wester.
Kinnear.	Wilson.
Kittrell.	Woodruff.
Lane of Hamilton.	Young.
Lane of Harrison.	

Nays—15.

Bateman.	Bean.
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Bedford.	Pool.
Cummings.	Purl.
Graves.	Raymer.
Hoskins.	Rice.
Kayton.	Smyth.
Laird.	Stevens.
Moore.	

Present—Not Voting.

Jacks.

Absent.

Atkinson.	Justice.
Avis.	Kemble.
Blount.	Low.
Conway.	Masterson.
Coody.	Montgomery.
Davis of Dallas.	Petsch.
Davis of Wood.	Runge.
Downs.	Sanford.
Dunn of Hopkins.	Smith of Travis.
Faulk.	Sparks.
Harman.	Wells.
Houston.	Williamson.

Absent—Excused.

Amsler.	Dielmann.
Bird.	Hull.
Boggs.	Jones.
Brown.	Maxwell.
Bryant.	Rawlins.
Covey.	Robinson.
Cox of Lamar.	Sheats.

Mr. Petsch moved the previous question on the engrossment of the bill and the main question was ordered.

House bill No. 249 was then passed to engrossment.

HOUSE BILL NO. 249 ON THIRD READING.

Mr. Wallace moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 249 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Acker.	Cox of Navarro.
Alexander	Dale.
of Limestone.	Daniels.
Baker of Orange.	Davis of Dallas.
Baker of Panola.	DeBerry.
Barker.	Dinkle.
Barron.	Donnell.
Bartlett.	Downs.
Bateman.	Dunlap.
Bobbitt.	Dunn of Falls.
Bonham.	Durham.
Cade.	Enderby.
Carter.	Faulk.
Chitwood.	Fields.
Coffey.	Finlay.

Florence.	Poage.
Foster.	Pool.
Frnka.	Pope.
Hall.	Powell.
Harman.	Raymer.
Harper.	Renfro.
High.	Rice.
Hollowell.	Rogers.
Irwin.	Rowland.
Jacks.	Runge.
Jasper.	Shearer.
Johnson.	Simmons.
Jordan.	Simpson.
Kayton.	Sinks.
Kemble.	Smith of Nueces.
Kenyon.	Sparks.
King.	Stautzenberger.
Kinnear.	Stell.
Kittrell.	Stevenson.
Lane of Hamilton.	Stout.
Lane of Harrison.	Strong.
Lipscomb.	Taylor.
Mankin.	Teer.
McBride.	Thompson.
McDonald.	Veatch.
McDougald.	Wade.
McGill.	Walker.
McKean.	Wallace.
McNatt.	Webb.
Merritt.	Wells.
Montgomery.	Westbrook.
Nicholson.	Wester.
Parish.	Williamson.
Pavlica.	Wilson.
Pearce.	Woodruff.
Perdue.	Young.

Nays—13.

Albritton.	Graves.
Alexander	Hagaman.
of Bastrop.	Hoskins.
Bean.	Laird.
Bedford.	Moore.
Cummings.	Purl.
Farrar.	Tomme.

Absent.

Atkinson.	Low.
Avis.	Masterson.
Blount.	McFarlane.
Conway.	Petsch.
Coody.	Rowell.
Davis of Wood.	Sanford.
Dunn of Hopkins.	Smith of Travis.
Gray.	Smyth.
Houston.	Stevens.
Justice.	Storey.
Loftin.	

Absent.

Amsler.	Covey.
Bird.	Cox of Lamar.
Boggs.	Dielmann.
Brown.	Hull.
Bryant.	Jones.

Maxwell.
Rawlins.

Robinson.
Sheats.

The Speaker then laid House bill No. 249 before the House on its third reading and final passage.

The bill was read third time.

Mr. McFarlane offered the following amendment to the bill:

Amend House bill No. 249 by striking out the following words in line 40, page 6, "unless waived."

The amendment was lost.

Mr. Cummings offered the following amendment to the bill:

Amend House bill No. 249, page 10, Section 20, by striking out all after Section 20, line 33, down to the period in line 40.

The amendment was lost.

Mr. Irwin moved to reconsider the vote by which the amendment by Mr. McFarlane was lost.

The motion to reconsider prevailed.

Question then recurring on the amendment, it was adopted.

House bill No. 249 was then passed by the following vote:

Yeas—100.

Acker.
Alexander
of Bastrop.
Alexander
of Limestone.
Baker of Orange.
Baker of Panola.
Barker.
Barron.
Bartlett.
Bateman.
Bedford.
Bobbitt.
Bonham.
Cade.
Carter.
Chitwood.
Coffey.
Conway.
Cox of Navarro.
Dale.
Daniels.
Davis of Dallas.
DeBerry.
Dinkle.
Donnell.
Downs.
Dunlap.
Dunn of Falls.
Dunn of Hopkins.
Enderby.
Faulk.
Fields.
Finlay.
Florence.
Foster.

Frnka.
Hagaman.
Hall.
Harman.
Harper.
High.
Hollowell.
Hoskins.
Irwin.
Jacks.
Jasper.
Johnson.
Kayton.
Kenyon.
King.
Kinnear.
Kittrell.
Lane of Hamilton.
Lane of Harrison.
Lipscomb.
Mankin.
McBride.
McDonald.
McGill.
McKean.
McNatt.
Merritt.
Nicholson.
Parish.
Pavlica.
Pearce.
Perdue.
Petsch.
Poage.
Pool.
Pope.

Powell.
Raymer.
Renfro.
Rice.
Rogers.
Rowland.
Runge.
Shearer.
Simmons.
Simpson.
Sinks.
Smith of Nueces.
Sparks.
Stautzenberger.
Stell.
Stevenson.

Stout.
Strong.
Taylor.
Teer.
Thompson.
Veatch.
Wade.
Walker.
Wallace.
Webb.
Westbrook.
Wester.
Wilson.
Woodruff.
Young.

Nays—11.

Albritton.
Atkinson.
Bean.
Cummings.
Farrar.
Graves.

Gray.
Laird.
McFarlane.
Moore.
Purl.

Absent.

Avis.
Blount.
Coody.
Davis of Wood.
Durham.
Houston.
Jordan.
Justice.
Kemble.
Loftin.
Low.
Masterson.

McDougald.
Montgomery.
Rowell.
Sanford.
Smith of Travis.
Smyth.
Stevens.
Storey.
Tomme.
Wells.
Williamson.

Absent—Excused.

Amsler.
Bird.
Boggs.
Brown.
Bryant.
Covey.
Cox of Lamar.

Dielmann.
Hull.
Jones.
Maxwell.
Rawlins.
Robinson.
Sheats.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, February 10, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 130, A bill to be entitled "An Act to amend Article 4186, Revised Civil Statutes of the State of Texas of 1911, relating to filing of accounts by guardians and furnishing certified copies thereof in certain cases, and declaring an emergency."

S. B. No. 123, A bill to be entitled "An Act to create a lien in favor of any person, firm or corporation who

may furnish any material, apparatus, mixtures, machinery or labor, to contractors who contract for public improvements, and declaring an emergency."

S. B. No. 64, A bill to be entitled "An Act to define, regulate and license real estate brokers, real estate agents and real estate salesmen within the State of Texas; to create a State Board of Examiners to operate in conjunction with the office of the Commissioner of the General Land Office, and providing for the appointment of such examiners and fixing their qualifications, compensation and term of office; and providing certain qualifications of real estate brokers, real estate agents and salesmen before receiving license; and providing for certain license fees to be paid by each applicant for real estate license, and also providing for the giving of bond for the protection of the public from fraud and misrepresentation by such real estate brokers, salesman or agent; and providing for the revoking of license by the State Board of Examiners and stating the grounds for such action, and to provide a penalty for the violation of the provisions hereof; repealing all laws in conflict herewith, and providing that the invalidation by the courts of any section or provision of this act shall not invalidate any other provision hereof."

S. B. No. 154, A bill to be entitled "An Act to amend Article 790 of the Code of Criminal Procedure of 1911 of the State of Texas by omitting therefrom the following: 'Provided that where there are two or more persons jointly charged or indicted, and a severance is had, the privilege of testifying shall be extended only to the person on trial.'"

S. B. No. 218, A bill to be entitled "An Act to repeal Chapter 50 of the Local and Special Laws of the Regular Session of the Thirty-eighth Legislature, which said act became effective the 4th day of April, 1923, and which said act created a special road system for Fayette county, Texas, and declaring an emergency," with engrossed rider.

H. C. R. No. 13, Relating to the cotton tax refund measure now before Congress.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

HOUSE BILL NO. 75 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 75, A bill to be entitled "An Act amending Chapter 5 of the General Laws of the Third Called Session of the Thirty-eighth Legislature, relative to occupation taxes on sales of gasoline so as to increase the amount of said occupation tax now existing, and declaring an emergency."

The bill was read third time and was passed.

Mr. Fields moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

STATEMENT OF VOTE ON HOUSE BILL NO. 75.

I have voted against House bill No. 75 each time it came up. YOUNG.

SPECIAL ORDER SET.

On motion of Mr. Jacks, House bill No. 372 was set as a special order for 3 o'clock p. m. tomorrow.

RELATING TO VOTE ON HOUSE BILL NO. 91.

Mr. Nicholson called up for consideration at this time the motion to reconsider the vote by which House bill No. 91 failed to pass to engrossment, which motion to reconsider was duly spread on the Journal and due notice given that the motion to reconsider would be called up for consideration today.

Mr. Sparks moved to table the motion to reconsider and the motion to table was lost.

Question then recurring on the motion to reconsider, it was lost.

RELATING TO HOUSE BILL NO. 114.

Mr. Hall moved that House Rule No. 15 be suspended for the purpose of taking up for consideration at this time House bill No. 114.

The motion to suspend the rule was lost.

HOUSE JOINT RESOLUTION NO. 1 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 1, Relating to the amending of Article 16, Section 58, of the Constitution of the State of Texas; abolishing the Board of Prison Commissioners; providing for the supervision and management of the prison system, under such laws as may be provided for by the Legislature.

The resolution was read second time.

On motion of Mr. Teer, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 3 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 3, Proposing an amendment to the Constitution of Texas so as to exclude the requirements of a tax for free text books.

The resolution was read second time.

On motion of Mr. Merritt, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 5, Proposing an amendment to Section 2 and Section 24 of Article III of the Constitution of the State of Texas, to provide that the Senate shall consist of thirty-one members, and the House of Representatives to consist of one hundred members, and fixing the salaries for the members, fixing the time for the election to be held for such an amendment, and making an appropriation to pay the expenses thereof.

The resolution was read second time.

On motion of Mr. Harman, the resolution was laid on the table subject to call.

HOUSE JOINT RESOLUTION NO. 6 ON SECOND READING.

The Speaker laid before the House, on its second reading,

H. J. R. No. 6, Proposing an amendment to Section 2 and Section 21 of Article IV of the Constitution of the State of Texas, to provide that the Secretary of State be elected, prescribing his duties and fixing his salary, fixing the time for the election to be held for such an amendment and making an appropriation to pay the expenses thereof.

The resolution was read second time.

On motion of Mr. Harman, the resolution was laid on the table subject to call.

HOUSE BILL NO. 8 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 8, A bill to be entitled "An Act amending Articles 3, 4, 7, 10,

13, 16, 35, 38, 41, 48, 55, 60, 61, 64 and 65, Chapter 73, of the General Laws of the First Called Session of the Thirty-sixth Legislature; and Articles 39 and 53, as amended by Chapter 139, General Laws of the Regular Session of the Thirty-eighth Legislature, changing certain penalties therein, making necessary changes and regulations, repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Wells offered the following amendment to the bill:

Amend House bill No. 8, Article 10, page 2, line 18, by striking out word "per" before the word "cent."

The amendment was adopted.

(Mr. Chitwood in the chair.)

Mr. Wells offered the following amendment to the bill:

Amend House bill No. 8, Section 60, page 8, line 39, by inserting the word "fresh" before the word "water."

The amendment was adopted.

Mr. Petsch offered the following amendment to the bill:

Amend House bill No. 8, Section 39, page 6, by inserting the following in line 8 after the "semi-colon" following the words "Gulf of Mexico," to wit:

"And the pass on the north of Laguna Madre, leading into Corpus Christi Bay, which pass shall be defined as beginning one-fourth of a mile south-southwest of Peat Island and running from said point to Flour Bluff, all of said waters being situated in Nueces county."

The amendment was adopted.

Mr. Farrar offered the following amendment to the bill:

Amend House bill No. 8, by striking out the words in lines 10 and 11, Section 53, page 8, reading as follows: "or fresh water catfish of less than eleven inches in length"; also strike out the word "catfish" in Section 65, page 10, line 24; also in line 25, page 10, Section 65, strike out the word "eleven" and in lieu thereof insert the word "eight."

The amendment was adopted.

Mr. Wells offered the following (committee) amendment to the bill:

Art. 67a. All funds collected by the Game, Fish and Oyster Commission from the sale of commercial fishermen's licenses, fish dealers' licenses, taxes on fish, crab, oysters and shrimps, and all other taxed marine life, and all fines and penalties collected for all infractions of all laws relating to commercial fishermen, shall be placed in the State Treasury to the credit of a fund to be

known as "Special Fish and Oyster Fund," and shall be used by the Game, Fish and Oyster Commissioner, through legislative appropriation, in the enforcement of the fish and oyster laws of this State, and dissemination of useful information pertaining to the economic value of fish and oyster marine life; the making of scientific investigations and surveys of the principal sea food fishes and marine life, for purpose of the better protection and conservation of same; the propagation and distribution of sea food fishes, oysters and other marine life; the purchase, repair and operation of boats, and the employment of deputies to carry out and enforce the provisions of this act.

Mr. Kemble moved the previous question on the pending amendment and the engrossment of the bill, and the motion was not seconded.

Mr. McFarlane offered the following amendment to the (committee) amendment:

Amend House bill No. 8, Section 679, by striking out "Special Fish and Oyster Fund" and inserting in lieu thereof the words: "General Revenue Fund" wherever it appears in the bill.

(Speaker in the chair.)

Question recurring on the amendment to the amendment, yeas and nays were demanded.

The amendment to the amendment was lost by the following vote:

Yeas—48.

Albritton.	Low.
Atkinson.	McBride.
Barker.	McDonald.
Bartlett.	McFarlane.
Bateman.	McGill.
Bean.	McNatt.
Bedford.	Merritt.
Bonham.	Moore.
Cade.	Pavlica.
Chitwood.	Pearce.
Coffey.	Perdue.
Davis of Wood.	Pope.
Donnell.	Rice.
Durham.	Rowland.
Faulk.	Simmons.
Frnka.	Stell.
Graves.	Stevens.
Hagaman.	Strong.
High.	Thompson.
Hoskins.	Veatch.
Kinnear.	Walker.
Laird.	Webb.
Lane of Hamilton.	Wester.
Lane of Harrison.	Young.

Nays—59.

Acker.	Baker of Panola.
Baker of Orange.	Barron.

Bobbitt.	Nicholson.
Conway.	Parish.
Cox of Navarro.	Petsch.
Cummings.	Poage.
Daniels.	Pool.
Davis of Dallas.	Powell.
Dinkle.	Purl.
Dunn of Falls.	Raymer.
Farrar.	Rogers.
Finlay.	Rowell.
Foster.	Runge.
Gray.	Sanford.
Harper.	Shearer.
Hollowell.	Smith of Nueces.
Irwin.	Sparks.
Jacks.	Stautzenberger.
Jasper.	Storey.
Johnson.	Stout.
Jordan.	Taylor.
Kayton.	Teer.
Kemble.	Tomme.
Kenyon.	Wade.
Kittrell.	Wallace.
Lipscomb.	Wells.
McDougald.	Westbrook.
McKean.	Williamson.
Montgomery.	Wilson.

Present—Not Voting.

Alexander of Limestone.

Absent.

Alexander	Hall.
of Bastrop.	Harman.
Avis.	Houston.
Blount.	Justice.
Carter.	King.
Coody.	Loftin.
Dale.	Mankin.
DeBerry.	Masterson.
Downs.	Renfro.
Dunlap.	Simpson.
Dunn of Hopkins.	Sinks.
Enderby.	Smith of Travis.
Fields.	Smyth.
Florence.	Stevenson.

Absent—Excused.

Amsler.	Dielmann.
Bird.	Hull.
Boggs.	Jones.
Brown.	Maxwell.
Bryant.	Rawlins.
Covey.	Robinson.
Cox of Lamar.	Sheats.

Mr. Strong moved that the House adjourn until 9 o'clock a. m. tomorrow, and the motion to adjourn was lost.

Question then recurring on the (committee) amendment by Mr. Wells, it was adopted.

Mr. Shearer offered the following amendment to the bill:

Amend House bill No. 8 by adding on page 6, at the end of line 1, the following: "Lintle Bay, Lost Lake and Old

River Lake in Chambers county, as shown by the government charts."

The amendment was adopted.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 8, page 3, Section 16, line 20, by striking out "or dealer."

The amendment was adopted.

Mr. Westbrook moved the previous question on the engrossment of the bill and the main question was ordered.

House bill No. 8 was then passed to engrossment.

NOTICE GIVEN.

Mr. Wallace gave notice that he would on tomorrow ask to be taken up for consideration at that time House bill No. 100.

SENATE BILLS ON FIRST READING.

The following Senate bills received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 218, to the Committee on Highways and Motor Traffic.

Senate bill No. 154, to the Committee on Criminal Jurisprudence.

Senate bill No. 64, to the Committee on State Affairs.

Senate bill No. 123, to the Committee on State Affairs.

Senate bill No. 130, to the Judiciary Committee.

ADJOURNMENT.

Mr. Tomme moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Jacks moved that the House adjourn until 9 o'clock a. m. tomorrow.

The motion of Mr. Tomme prevailed and the House, accordingly, at 5:30 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, February 10, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 309, A bill to be entitled

"An Act to increase and fix the salary of the superintendent of public instruction of McLennan county, Texas; providing for office expenses, repealing all laws in conflict herewith, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

Committee Room,

Austin, Texas, February 9, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 75, A bill to be entitled "An Act amending Chapter 5 of the General Laws of the Third Called Session of the Thirty-eighth Legislature, relative to occupation taxes on sales of gasoline, so as to increase the amount of said occupation tax now existing, and declaring an emergency,"

And find the same correctly engrossed.
ROWELL, Chairman.

REPORT OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 7, 1925.

Hon. Lee Satterwhite, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred,

H. B. No. 139, "An Act providing for the development and improvement of navigation of the inland and coastal waters of this State pursuant to Section 59 of Article XVI of the State Constitution, providing for the preservation and conservation of inland and coastal waters of this State under said constitutional provisions; providing for navigation districts; providing for the raising of the necessary funds, the issuance of bonds, and the levying and collection of necessary taxes for such purposes; providing all things necessary and incident to such purpose and subject, and declaring an emergency."

Have carefully compared same and find it correctly enrolled.

STOUT, Chairman.

TWENTY-FOURTH DAY.

(Wednesday, February 11, 1925.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Satterwhite.